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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,842	12/04/2003	Fumio Mieda	KORG.003AUS	7448

7590 06/30/2005

MURAMATSU & ASSOCIATES
Suite 225
7700 Irvine Center Drive
Irvine, CA 92618

EXAMINER

ELLINGTON, ALANDRA

ART UNIT	PAPER NUMBER
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2855

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/727,842

Applicant(s)

MIEDA ET AL.

Examiner

Alandra Ellington

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-15 is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/19/04</u> . | 6) <input type="checkbox"/> Other: ____ |

Non-Final Rejection

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because it contains legal phraseology such as "comprised". Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Butler et al (4,262,532) (hereinafter Butler) in view of Bell (4,158,217).

- a. With respect to Claim 1, Butler discloses a pressure detector with a flexible insulation member 11 in a predetermined shape, a resistance member 12

formed on one side of the flexible insulation member 11, a conductive member 14 made of conductive material and established to face the insulation member 11 with a predetermined gap therebetween, an electrode 14a, 14b, and an output voltage from the conductive member 14 indicative of a location of the pressure applied to the insulation member 11 (col. 2 lines 15-68, col. 3 lines 1-11, 41-68, col. 4 lines 1-22 {Figs. 2,3}). However, Butler does not teach a pair of electrodes established in a parallel fashion. Bell teaches a pair of parallel electrodes 7, 9 separated by a gap (col. 1 lines 45-50, col. 2 lines 34-47 {Figs. 1-3}). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Butler with the teachings of Bell to include a pair of parallel electrodes separated by a gap for the purpose of reducing the nonlinear component of the change in the impedance of the pressure transducer as a function of the change in pressure (see Bell, col. 1 lines 45-50, col. 2 lines 34-47).

b. With respect to Claim 2, Butler discloses the gap between the resistance member 12 and the conductive member 14 determined in such a way that, when the pressure applied to the insulation member 11, the resistance member 12 contacts the conductive member 14 at a location corresponding to the point where the pressure is applied (col. 2 lines 15-68, col. 3 lines 1-11, 41-68, col. 4 lines 1-22 {Figs. 2,3}).

c. With respect to Claim 3, Bell teaches the pair of electrodes formed in a radial direction (col. 2 lines 35-49 {Figs. 1-3}).

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d. With respect to Claims 4 and 5, Bell teaches a voltage supplied between the pair of electrodes, the voltage distribution created by equipotential lines in radial directions thereby differentiating voltages in a circular direction (col. 2 lines 40-49, col. 3 lines 11-45 {Figs. 2,3}).

e. With respect to Claim 6, Bell teaches an insulation member and conductive member shaped like a disc ({Figs. 2,3}).

Allowable Subject Matter

5. Claims 7-15 are allowed.

6. The following is an examiner's statement of reasons for allowance: The reasons for allowance are based on the inclusion of *a second pair of electrodes established on the second resistance film between a center and an outer edge of the second resistance film.*

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(5,515,738) (4,763,534) (3,328,653) (5,324,326) (3,808,480)

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alandra Ellington whose telephone number is (571) 272-2178. The examiner can normally be reached on Monday - Friday, 8:30am - 5:00pm.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Lefkowitz can be reached on (571) 272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alandra Ellington
Art Unit 2855



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MAX NOORI
PRIMARY EXAMINER